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FEDERAL PUBLIC DEFENDER  
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Attorney for Petitioner

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA

RUSSELL SHETTERS III,

Petitioner,

vs.

SUPERINTENDENT JOE SCHMIDT,

Respondent.

Case No. 3:04-cv-0142-TMB-JDR

**UNOPPOSED MOTION TO EXTEND  
TIME TO FILE RESPONSE  
*Filed on Shortened Time and*  
Filed Nunc Pro Tunc**

Petitioner, Russell Shetters, III, by and through counsel Mary C. Geddes, Assistant Federal Defender, hereby files this unopposed motion, filed nunc pro tunc, to allow petitioner an additional two weeks to respond to respondent's motion to dismiss his petition. The response was due July 29, 2008. Respondent argues that Mr. Shetters' petition is out of time by either 55 or 13 days. Respondent's counsel, Michael McLaughlin, is assisting Ms. Geddes in the location of the needed correctional records, and he does not oppose additional time.

This motion was filed belatedly due to the oversight of counsel. Counsel for Mr. Shetters still requires additional time to respond to the motion because of the press of other business. She apologizes for this late request.

DATED this 31st day of July, 2008.

Respectfully submitted,

FEDERAL PUBLIC DEFENDER  
FOR THE DISTRICT OF ALASKA

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Certification:

I certify that on July 31, 2008, a copy of the foregoing document, with attachments, was served electronically on:

Michael Sean McLaughlin, Esq.

/s/ Mary C. Geddes